

Parking Regulations Distributed During the September 22, 2014 Council Work Session

(Note _ most sections will need addition of ord. sections and penalty sections)

GENERAL PROVISIONS

VEHICLES NOT TO STOP IN STREETS

No vehicle shall stop in any street, except for the purpose of parking as prescribed in this title, unless the stop is made necessary by the approach of fire apparatus, by the approach of a funeral or other procession which is given right-of-way, by the stopping of a public conveyance, by the lowering of railway gates, by the giving of traffic signals, by the passing of some other vehicle or a pedestrian or by some emergency. In all cases covered by such exceptions, the vehicles shall stop so as not to obstruct any footway, pedestrian aisle, safety zone, crossing or street intersection, if the obstruction can be avoided.

Nothing in this section shall interfere with the proper observance of NCGS 20-155, which requires vehicles to yield to pedestrians in marked crosswalks.

VEHICLES NOT TO OBSTRUCT PASSAGE OF OTHER VEHICLES.

No vehicle shall so stand on any street as to interrupt or interfere with the passage of public conveyances or other vehicles.

STOPPING, STANDING OR PARKING PROHIBITED IN CERTAIN PLACES.

No person shall stop, stand or park a vehicle, except when necessary to avoid conflict with other traffic, or in compliance with the directions of a police officer or traffic-control device, in any of the following places:

- (A) On a sidewalk;
- (B) On a crosswalk
- (C) Within 30 feet of any flashing beacon, stop sign or traffic-control signal located at the side of a street or roadway;
- (D) Alongside or opposite any street excavation or obstruction, when such stopping, standing or parking would obstruct traffic;
- (E) Upon any bridge or other elevated structure or within any underpass structure; and
- (F) On the roadway side of any vehicle stopping, standing or parked at the edge or curb of a street.

STANDING OR PARKING PROHIBITED FOR CERTAIN PURPOSES.

(A) No person shall stand or park a vehicle upon any street for the principal purposes of:

- (1) Displaying it for sale;
- (2) Washing, greasing or repairing the vehicle, except repairs necessitated by an emergency;
- (3) Storage thereof by garages, dealers or other persons when the storage is not incident to the bona-fide use and operation of the automobile or other vehicles;
- (4) Storage of any detached trailer or van, when the towing unit has been disconnected; and
- (5) Transferring merchandise or freight from one vehicle to another.

(B) No person shall stand or park any vehicle on any street for the primary purpose of advertising.

PARKING RESTRICTIONS; CERTAIN HOURS.

When signs are placed, erected, or installed giving notice thereof, no person shall park a vehicle between the hours of _____ in the area designated by the signs.

MOVING OF VEHICLES OF OTHER OPERATORS INTO RESTRICTED AREAS.

No person shall move a vehicle not owned by the person into any prohibited area or sufficiently away from a curb to make the distance unlawful.

PARKING PROHIBITED AT ALL TIMES ON CERTAIN STREETS.

When signs are placed, erected or installed giving notice thereof or when the curbing has been painted yellow in lieu of the signs, no person shall park a vehicle at any time upon any of the following designated streets:

1st through 6th streets; 7th through 19th streets; and 27th through 40th streets;
North Shore Drive from Cobia Street to its easternmost terminus;
Canal Drive from Cobia Street to its easternmost terminus;*****This is
wrong – should be Canal Drive from 6th Street to Cobia Street *****
Bay and Inlet Streets.

PARKING WITHIN LINES OR DESIGNATED AREAS

On any street or public parking area which is marked off with lines indicating the parking spaces for cars, the cars shall be parked between the lines.

If parking spots are designated by curb stops, cars must be parked centered on the curb stop.

LIGHTS ON PARKED VEHICLES

No lights need be displayed upon any vehicle when parked, in accordance with this traffic code, upon a highway where there is sufficient light to reveal any person within a distance of 200 feet upon that highway.

MOVING CARS FROM PARKED POSITIONS

Parked cars shall move out in the direction headed, or, if they are parked at an angle with the curb, they shall back out at that angle until they have cleared the other cars and shall then proceed in the direction they are most nearly headed in.

NO PARKING AT INTERSECTION.

There shall be no parking within thirty (30) feet of the corner of any street intersecting with another street, unless otherwise posted.

PARKING ON PRIVATE PROPERTY

The Town Council may, by ordinance, regulate the stopping, standing, or parking of vehicles in specified areas of any parking areas or driveways of a hospital, shopping center, apartment house, condominium complex, or commercial office complex, or any other privately owned public vehicular area, or prohibit such stopping, standing or parking during any specified hours, provided the owner or person in general charge of the operation and control of that area requests in writing that such an ordinance be adopted. The owner of a vehicle parked in violation of an ordinance adopted pursuant to this subsection shall be deemed to have appointed any appropriate law-enforcement officer as his agent for the purpose of arranging for the transportation and safe storage of such vehicle.

NO TRESPASSING ENFORCED

No trespassing is permitted on private property. If the owner of a property or vacant lot _____, the town will enforce such no trespassing by _____.

UNATTENDED VEHICLES.

It shall be unlawful for any person to leave the engine or motor of any motor vehicle running while it is standing parked upon the streets.

Cross reference – Penalty, see __ 70.99

PARALLEL PARKING.

In the right of way of any road that is paved and where not otherwise marked to show how vehicles shall park, all vehicles shall park parallel to the pavement and at least three feet from the edge of the pavement. On unpaved streets, all vehicles shall park parallel to the street and far enough off the driveable portion of the street that the vehicle does not impede traffic.

Double parallel parking is not permitted anywhere.

Cars shall not park against traffic on any town street.

Penalty – see 70.99

OPERATOR TO COMPLY WITH CHAPTER; EFFECT OF PROOF OF OWNERSHIP OF VEHICLE.

The person actually operating or in control of the operation of the vehicle at the time the vehicle is parked shall be charged with the duty of complying with the provisions of this chapter. However, proof of ownership of any vehicle found parked in violation of this chapter shall be prima facie evidence that the owner parked the vehicle.

FIRE LANES.

Pursuant to the provisions of G.S. § 20-162(b), and for the protection and safety of the lives and property of the citizens of the town, there are hereby established certain fire lanes as set forth in this section. Fire lanes may be designated on private property which constitutes a public vehicular area as that term is defined by G.S. § 20-4.01(32) (or by a subsequent statute amending this statutory section) and on any highway or street as that term is defined in G.S. § 20-4.01(13)(or by a subsequent statute amending this statutory section).

(A) Fire lanes may be designated on any portion of a highway or street or public vehicular area as those terms are defined herein when the parking or placing of vehicles or obstructions in the area designated as a fire lane would interfere with the proper ingress or egress of fire fighting trucks or other emergency vehicles, equipment or personnel.

(B) Fire lanes shall be clearly marked by appropriate aboveground signs, or signs and pavement markings. The person or legal entity in possession of the property on which a designation of a fire lane is made shall be responsible for installation and maintenance of the required signs or pavement markings. All signs and pavement markings utilized under the provisions of this section shall be approved by the town.

(C) No person shall park a vehicle or permit it to stand, whether attended or unattended, or put or place any object, structure, or obstruction, in a fire lane which has been established under the provisions of this section; however, persons loading or unloading supplies or merchandise may park temporarily in a fire lane located in a shopping area as long as the vehicle is not left unattended. It shall be lawful for governmental vehicles or nongovernmental emergency vehicles, including rescue squad vehicles, to stop, stand, or travel within such fire lanes when required to do so in the performance of their official duties.

(D) The following fire lanes are hereby established in accordance with this section: _____

[Penalty, see § 70.99](#)

HANDICAPPED PARKING.

On any public street, no person shall park or leave standing a vehicle in any parking space that has been appropriately designated for the handicapped when the vehicle does not display the distinguishing license plate, placard or identification card as provided in G.S. 20.37.6.

Penalty, see 70.99.

PARKING CONTROL DEVICES

DEFINITIONS.

For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

“OPERATOR.” Every person who shall operate a vehicle as the owner thereof, or as the agent, employee or by permission of the owner, or who is in actual physical control of a vehicle.

“PARK” or “PARKING.” The standing of a vehicle, whether occupied or not, upon a street otherwise than temporarily for the purpose of, and while actually engaged in, receiving or discharging passengers or loading or unloading merchandise or in obedience to traffic regulations, signals, or signs or an involuntary stopping of a vehicle by reason of causes beyond the control of the operator of the vehicle.

“PARKING CONTROL DEVICES.” Any mechanical device or kiosk, not inconsistent with this subchapter, placed or erected for the regulation of parking by authority of this subchapter, installed in such a manner as to indicate, by proper legend, the legal parking time established by the town and which, when operated, shall at all times indicate the balance of legal parking time or issue a receipt indicating legal park time.

“PAID PARKING SPACE.” Any space within a paid parking zone designated for the parking of a single vehicle by lines painted, curb stops provided, or otherwise marked.

“PAID PARKING ZONE.” Any street or area covered by parking control devices which are in operation.

“PERMIT PARKING ONLY ZONE.” Any area designated as an area restricting parking to cars with required permits.

“STREET.” Any public street, avenue, road, alley, highway, lane, path or other public space located in the town and established for the use of vehicles.

“VEHICLE.” Any device in, upon or by which any person or property is taken or may be transported upon a highway, except a device which is operated upon rails or tracks.

AUTHORIZATION; RESPONSIBILITY.

- (A) The Town Council shall have the authority and responsibility to order the installation, operation, setting of rates and maintenance of parking control devices including but not limited to kiosks on public streets and in off-street parking facilities operated by the Town. Each parking control device so installed shall be capable of producing a receipt to be displayed in the parked vehicle and showing the remaining balance or the authorized legal parking time, upon the deposit of specified legal tender.
- (B) In the event any such parking device is de-activated by an appropriate act or agent of the town, then the requirements and provisions of this subchapter shall not apply during the time of such intentional de-activation by the Town.

OPERATION OF PARKING CONTROL DEVICES.

- (A) All persons parking a vehicle in a designated paid parking space shall deposit legal tender as accepted by the parking control device after the vehicle is parked in a paid parking space.
- (B) It shall be unlawful for any person to deposit in any parking control device any slug or substitute for legal payment.
- (C) The purposes of parking control devices are to provide a readily visible means of enforcing the parking duration regulations in effect for the parking space and to facilitate the frequent turnover of space usage.

HOURS OF OPERATION.

Parking control devices shall be used for the regulation of parking within the town as specified in this subchapter from March 1 until October 31. During these months, paid parking in regulated parking zones shall be in effect from 6:00 a.m. through 8:00 p.m. daily.

DESIGNATION OF PAID PARKING ZONES.

The following paid parking zones are hereby established on those streets within the Town as specified below:

(A) Sunset Boulevard Extension

(B) Sunset Boulevard from North Shore to Main Street

PARKING WITHOUT DEPOSITING PAYMENT.

No person shall cause or permit any vehicle registered in his name or which vehicle is under his control to be or remain parked in any paid parking zone for any period of time for which any required deposit of legal tender has not been made.

Penalty – see section _____

RATES.

(A) For any vehicle to be deemed legally parked in any on-street or off-street parking space located within a paid parking zone, there shall have been deposited in the applicable parking control device at the initial time of parking, legal tender as indicated on the parking control device as follows:

Except as otherwise provided herein, parking control devices shall be set at the rate of \$1.00 per hour.

(B) Reduced Rate Parking for Sunset Beach property owners:

(1) When authorized by the Town Council, the Town Administrator may implement a reduced rate parking program as described below.

- (2) The owner of a residential unit located within the Town limits shall be entitled to purchase a reduced rate parking card. For purposes of this section, a residential unit shall not include a hotel or motel room or a vacant lot.
- (3) The fee to be paid for a reduced rate parking card shall be one-half of the posted rate, and shall be sold in increments of \$25.00.

RESIDENTIAL PARKING PERMITS

The Town Administrator is authorized to implement a program for the issuance of parking permits for property owners of the Town when authorized by the Town Council. This program shall apply in any area of the Town designated by the Town Council as permit parking only. Such a program shall include the following:

- (A) The owner(s) of each residential unit located within the Town shall be entitled to two parking permits. The first permit is free of charge; the second permit is \$10.00. For purposes of this section, a residential unit shall not include a hotel or motel room or a vacant lot. Residential structures containing multiple residential units owned by the same entity (i.e. an apartment building) shall be entitled to two permits for the entire residential structure.
- (B) A vehicle properly displaying a current authorized permit shall be permitted to park in any area designated as permit parking only.
- (C) The property owner to whom such a permit is issued is authorized to allow the use of the permit by a resident of or a visitor to the residential unit. It shall be unlawful and a violation of this section for any person to permit use of such permit by any person other than one residing in or visiting such residential unit and for any person to sell such permit, or to accept anything of value in return for the use of such permit (other than payment of rent by a tenant in the residential unit)
- (D) Lost permits may be replaced upon payment of a fee of \$25.00 and receipt of a sworn statement from the property owner that such permit has been lost

and not transferred or otherwise used in a manner not permitted by this section. No permit may be replaced more than once in any 12-month period.

- (E) A violation of the provisions of section (B) shall subject the offender to a penalty as set forth in _____ of this code. A violation of the provisions of section (C) shall subject the offender to a civil penalty in the amount of \$500. Such penalty may be recovered by the Town in a civil action in the nature of a debt if the offender does not pay the penalty within 10 days after having been cited for violation of the section. Each day's continuing violation of any provisions of this section shall be a separate and distinct offense.
- (F) The following streets are designated as permit parking only streets:
- (1) Canal Drive from Cobia Street to its easternmost terminus. *****need to find out if it is from 6th to Cobia, or Cobia to the east end*****
 - (2) North Shore Drive
 - (3) Marlin Street
 - (4) Dolphin Street
 - (5) Sailfish Street
 - (6) Cobia Street

FRAUDULENT USE OF PARKING PERMIT.

It shall be unlawful for any person to engage in parking permit forgery; parking permit fraud; or possess a forged parking permit.

A person is guilty of parking permit forgery when, with intent to defraud the town, a person falsely makes a purported parking permit, or with intent to defraud the Town, a person alters, or duplicates an existing parking permit.

A person is guilty of parking permit fraud when, with intent to defraud the Town, a person uses a parking permit obtained or retained in violation of this section or which he knows is forged, altered or revoked, for the purpose of parking in a permit only parking zone.

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